

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

AMY SCHWEITZER,

Plaintiff,

v.

CAROLINE W. COLVIN, Acting
Commissioner of Social Security,

Defendant.

Case No. 13-5800 RJB-KLS

REPORT AND RECOMMENDATION

This matter has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule MJR 4(a)(4) and as authorized by Mathews, Secretary of H.E.W. v. Weber, 423 U.S. 261 (1976). This matter is before the Court on the stipulated motion for remand. (ECF #18). After reviewing the parties' stipulated motion and the remaining record, the undersigned recommends that the Court grant the parties' motion, and remand this matter to the Commissioner for further proceedings.


This Court recommends that on remand, the Appeals Council will instruct the Administrative Law Judge to consider the claimant's symptoms and evaluate the case under the guidance in Social Security Ruling 12-2p; update the medical evidence; and provide the claimant with another opportunity for a hearing.

Given the fact of the parties' stipulation, the Court recommends that the District Judge immediately approve this Report and Recommendation and order the case **REVERSED** and

1 **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g), and that Plaintiff be entitled to
2 reasonable attorney's fees and costs pursuant to 28 U.S.C. § 2412(d), upon proper request to this
3 Court.

4 A proposed order accompanies this Report and Recommendation.

5 DATED this 10th day of March, 2014.

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9 Karen L. Strombom
United States Magistrate Judge